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PRIVATE ACTS,

JOINT RESOLUTIONS AND MEMORIALS,

PASSED AT THE

7TH SESSION OF THE LEGISLATIVE ASSEMBLY

OF

COLORADO TERRITORY,

BEGUN AT GOLDEN CITY ON THE 2D DAY OF DECEMBER, AND ADJOURNED TO DENVER ON THE 9TH DAY OF DECEMBER, 1867.

PUBLISHED BY AUTHORITY.

CENTRAL CITY:
PRINTED BY DAVID C. COLLIER, AT THE MINERS' REGISTER OFFICE.
1868.

PRIVATE ACTS,

JOINT RESOLUTIONS AND MEMORIALS,

PASSED AT THE

SEVENTH SESSION OF THE LEGISLATIVE ASSEMBLY
OF COLORADO TERRITORY.

An act relating to Appropriations for the fiscal years ending on the 31st day of December, A. D. 1868, and the 31st day of December, A. D. 1869.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That for the purpose of paying the current and contingent expenses of the fiscal years ending the thirty-first day of December, A. D. 1868, and the thirty-first day of December, A. D. 1869, the following sums of money shall be and the same are hereby appropriated to the several funds named, that is to say: For the purpose of paying the expenses of the legislative assembly and *per diem* of the members, the sum of thirteen thousand dollars, for the purpose of paying the salary of territorial officers, one thousand dollars; for the purpose of paying the salaries of district attorney, four thousand eight hundred dollars; for territorial officers' contingent fund, one thousand dollars; for the purpose of paying the interest on the military debt on warrants issued pursuant to an act of the legislative assembly, six thousand dollars; for salaries of the judges of the supreme court, twelve thousand dollars: *Provided*, That before payment of any salary shall be made to any justice of the supreme court, said justice shall certify to the auditor of the territory what terms of the district court have been held within the judicial district to which such justice is assigned, during the time for which payment of salary is demanded, and if it shall appear that any term or terms of the district court have not been held during such time within such

district, as required by law, it shall be the duty of the auditor to deduct from the salary of such justice the sum of three thousand dollars for each and every term of court which has not been held as aforesaid, and if the amount to be deducted shall exceed the salary demanded, the excess shall be deducted from the salary of such justice, which shall thereafter accrue. For expenses and *per diem* of the commissioners to locate the capitol and penitentiary of the territory of Colorado, one thousand dollars; for the purpose of paying all expenses incurred in calling out the Colorado militia by Governor Hunt, June 1, 1867, fourteen hundred and sixty-two dollars and seventy-two cents; for newspapers ordered by the legislative assembly for 1867, two hundred dollars; for printing for the session of 1867, fifteen hundred dollars; for printing the laws in the Spanish language, three thousand dollars; for the payment of Juan Esquibel, seventy-five dollars; for paying expense of territorial assay office, eight thousand dollars; for the revising of the statutes (E. T. Wells, Esq.), three thousand dollars; for purpose of paying Adeline McFarland, three hundred dollars. That the sum of two hundred dollars be appropriated to print the common-school law, and the sum of seventy-five dollars for the payment of N. Beshoar; for the purpose of paying for translating the governor's message into the Spanish language, one hundred dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved January 10, A. D. 1868

An act to provide for the payment of Clerks and other Officers of the Legislative Assembly.

Be it enacted by the Council and House of Representatives of Colorado Territory.

SECTION 1. That there shall be allowed the clerks and other officers of the house of representatives, additional to the amount already allowed by the government of the United States, compensation for services at this session, as follows, to wit: The chief clerk shall receive the sum of eight dollars per day, the assistant clerk the sum of six dollars per day, the engrossing clerk ten dollars per day, the enrolling clerk shall receive the sum of five dollars per day, the sergeant-at-arms shall be allowed the sum of five dollars per day, the fireman the sum of four dollars per day, the messengers each shall receive the sum [illegible] dollars and fifty cents per day, the chaplain shall receive

the sum of four dollars per day, and the interpreter the sum of ten dollars per day.

SEC. 2. The secretary of the council shall be allowed the sum of eight dollars per day, and the assistant secretary the sum of six dollars per day, and the engrossing clerk ten dollars per day, and the enrolling clerk shall receive the sum of five dollars per day, the sergeant-at-arms the sum of five dollars per day, the fireman the sum of four dollars per day, the chaplain the sum of four dollars per day, and the interpreter the sum of ten dollars per day, the page of the council two dollars per day.

SEC. 3. The certificate of the president of the council, countersigned by the chief secretary of the council, or of the speaker of the house of representatives, countersigned by the chief clerk of the house of representatives, shall be sufficient authority for the auditor of the territory to draw warrants for the several amounts so certified to upon the territorial treasurer, which shall be paid out of any funds in the territorial treasury not otherwise appropriated; and the several officers respectively shall be paid for the time they respectively were actually in the service of the council and house of representatives, as the case may be, and the certificate aforesaid shall specify the number of days for which each person receiving the same is entitled to pay.

SEC. 4. This act to take effect and be in force from and after its passage.

Approved January 9, A. D. 1868.

An act to provide for Office-rent, Furniture and Stationery for the Office of the Clerk of the Supreme Court of Colorado Territory.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the sum of five hundred dollars be and is hereby appropriated to provide for office-rent, furniture and stationery for the office of the clerk of the supreme court of Colorado territory.

SEC. 2. That the auditor of the territory be instructed to draw his warrant on the territorial treasurer for a sum not to exceed twenty-five dollars per month, to be paid to the clerk of the said court for his office-rent.

SEC. 3. That the auditor be instructed to draw his warrants on the treasurer for a sum not to exceed two hundred dollars, for necessary office-furniture and stationery, upon the presentation to him of the proper vouchers for the same, by the clerk of the said supreme court.

Approved January 9, A. D. 1868.

An act to provide for the payment of the Assistant Enrolling, and the Assistant Engrossing Clerk, employed by the Council and House of Representatives at their seventh session.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SEC. 1. That the assistant enrolling clerk shall receive the sum of ten dollars per day, and the assistant engrossing clerk shall receive the sum of ten dollars per day.

SEC. 2. The certificate of the speaker of the house of representatives, countersigned by the chief clerk of the house of representatives, or the certificate of the president of the council countersigned by the secretary of the council, shall be sufficient authority for the auditor of the territory to draw warrants for the several amounts so certified to, upon the territorial treasurer, which shall be paid out of any funds in the territorial treasury, not otherwise appropriated; and the several officers, respectively, shall be paid for the time they, respectively, were actually in the service of the council and house of representatives; and the certificate aforesaid, shall specify the number of days for which each person receiving the same is entitled to pay.

SEC. 3. This act to take effect and be in force from and after its passage.

Approved January 10, A. D. 1868.

An act to provide for the relief of Francis Gallup and Andrew J. Williams.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That there is hereby appropriated out of any moneys in the treasury not otherwise appropriated, eight hundred and thirty seven dollars and seventy-two cents, to Francis Gallup, in payment of military equipments furnished by him to the militia of the territory, called into service under the proclamation of Governor Hunt, dated the 8th day of June, A. D. 1867.

SEC. 2. That the sum of six hundred and twenty five dollars is hereby appropriated out of any moneys in the treasury not otherwise appropriated, to Andrew J. Williams, in payment of beef furnished by him to the militia of the territory, called out under the proclamation of Governor Hunt, dated the 8th day of June, A. D. 1867.

Approved January 10, A. D. 1868.

An act providing for the publication of the Laws of the Territory of Colorado in the Spanish Language.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the secretary of the territory of Colorado be and he is hereby authorized and empowered, and it shall be his duty within thirty days after the adjournment of the present session of the legislative assembly of said territory, to advertise for bids for the translation and publication in the Spanish language of five hundred copies of the general laws passed by the legislature of said territory at its seventh session, and which laws and parts of laws are not already contained in the two volumes of the laws already printed in the Spanish language: *Provided*, That the cost of such translation and printing shall not exceed the sum of three thousand dollars.

SEC. 2. Said advertisement shall be published for four weeks in some newspaper printed in this territory, for the translation of said laws from the English language into the Spanish language, and the printing and binding of five hundred copies thereof, the same to be bound in pamphlet form with paper covers.

SEC. 3. It shall be the duty of the secretary of the territory, at the end of four weeks from the time said advertisement is so published, to open any and all bids which may have been received; and he shall award the contract as aforesaid to the lowest responsible bidder therefor.

SEC. 4. The secretary of the territory shall thereupon enter into a written contract on behalf of the territory with the person to whom the said contract is so awarded, for the faithful performance of the duties provided in this act.

SEC. 5. When the laws are published as aforesaid, it shall be the duty of the secretary to see that the same are distributed to the counties of Huerfano, Las Animas, Costilla, Conejos and Saguache, for the use of the inhabitants thereof.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved January 10, A. D. 1868.

An act to incorporate the Town of Georgetown.

Be it enacted by the Council and House of Representatives of Colorado Territory:

ARTICLE I.

SECTION 1. That the inhabitants of Georgetown, in Clear Creek county, and territory of Colorado, be and are hereby constituted a body politic and corporate, by the name and style of Georgetown, and by that name shall have perpetual succession, and sue and be sued, plead and be impleaded in all courts of law and equity, and may have and use a common seal, and alter the same at pleasure.

SEC. 2. All the territory embraced within the following limits, to wit: Commencing at a point 530 feet due east (magnetic) from the south-east corner of the south-east block in Georgetown (marked "4" on the plat), and running thence due north for a distance of 5000 feet; thence due west 425 feet; thence due north again 6275 feet to the south and east corner of the town; thence due west for a distance of 2275 feet to the north-west corner of town; thence due south 11275 feet to the south-west corner; thence due east 2700 feet, to the point of beginning, thus including 637 acres, 2 roods, 22 rods, 12 yards, and the same is hereby declared to be within the limits of Georgetown.

SEC. 3. Whenever any tract adjoining Georgetown be laid off into town-lots and duly recorded, as may be required by law, the same may be annexed to and become a part of Georgetown.

SEC. 4. The inhabitants of Georgetown, by the name and style aforesaid, shall have power to sue and be sued, to plead and be impleaded, defend and be defended, in all courts of law and equity, and in all actions whatsoever to purchase and receive and hold property, both real and personal, either in or beyond the corporation, for burial grounds and for other purposes, for the use of the inhabitants of Georgetown.

ARTICLE II. OF THE BOARD.

SECTION 1. There shall be a board of selectmen, to consist of a police judge and two selectmen from each ward.

SEC. 2. The board of selectmen shall consist of two members from each ward in Georgetown, to be chosen by the qualified voters, for two years, and until others shall be legally qualified, save the first election, as hereinafter specified.

SEC. 3. No person shall be a selectman unless at the time of his election he shall have resided within the limits of the corporation one year immediately preceding his election, and shall

have the requisite qualifications to vote for members of the legislature, and a citizen of the United States.

SEC. 4. If any selectman shall, after his election, remove from the corporation, his office shall be declared vacated. The selectmen shall serve without compensation from the corporation funds until there shall be five hundred inhabitants in said corporation.

SEC. 5. At the first meeting of the board, the selectmen shall be divided into two classes. The seats of those of the first class shall terminate at the expiration of the first year, and of the second class at the expiration of the second year, so that one half of the board shall be elected annually.

SEC. 6. The board of selectmen shall judge of the qualifications, elections and returns of their own members, and shall determine all contested elections under this act.

SEC. 7. A majority of the board of selectmen shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members under such penalties as may be prescribed by ordinance.

SEC. 8. The board shall have power to determine the rules of its proceedings, punish its members for disorderly conduct, and with the concurrence of two thirds of the members elected, expel a member.

SEC. 9. The board shall keep a journal of its proceedings, and from time to time publish the same, and the ayes and nays when demanded by any member present, shall be entered on the journal.

SEC. 10. No selectmen shall be appointed to any office under the authority of the corporation, which shall have been created, or the emoluments of which shall have been increased during the time for which he shall have been elected.

SEC. 11. All vacancies that shall occur in the board of selectmen, shall be filled by election.

SEC. 12. The police judge and selectmen, before entering upon the duties of their offices, shall take and subscribe an oath or affirmation that they will support the constitution of the United States, and the organic act of this territory, and that they will well and truly perform the duties of their office to the best of their skill and ability.

SEC. 13. Whenever there shall be a tie in the election of selectmen, the judges of election shall certify the facts to the police judge, who shall determine the same by lot, in such manner as shall be provided by ordinance.

ARTICLE III.

SECTION 1. The chief executive office of Georgetown shall

be a police judge, who shall be elected by the qualified voters of the corporation, and hold his office for one year, and until his successor shall be elected and qualified.

SEC. 2. No person shall be eligible to the office of police judge, who shall not have been a resident of Georgetown for one year next preceding his election, or who shall be under twenty-five years of age, or who shall not at the time of his election be a citizen of the United States.

SEC. 3. If any police judge, during the term for which he shall have been elected, remove from, or shall be absent from the corporation for the space of three months, his office shall be declared vacant.

ARTICLE IV. OF ELECTIONS.

SECTION 1. On the fourth Tuesday of January, A. D. 1868, an election shall be held in each ward of said corporation for one justice of the peace, to be nominated police judge for Georgetown, one marshal, two selectmen for each ward, and forever thereafter on the first Monday of April, of each year (except the first Monday of April, A. D. 1868), there shall be an election for one police judge, one marshal, two selectmen from each ward. The probate judge of Clear Creek county shall, on or before the fourth Tuesday of January, A. D. 1868, proceed to lay out the territory embraced within the limits of said corporation of Georgetown, into two wards, and fix the boundaries of the same, and shall also provide for holding the first election herein apportioned in the several wards of said corporation, shall fix the place for holding said election in said wards, shall appoint three persons to act as judges of elections, in each of said wards, who shall be sworn, and whose places may be filled in case they do not serve as provided by law in other elections. Said elections shall be held, and returns thereof made, and certificate, in all respects as may be provided by law, in elections for members of the legislature. A copy of said returns of said election shall also be delivered to the probate judge of Clear Creek county, and he shall canvass the same within three days from the time they shall be received, and the person receiving the highest number of votes for the several offices of police judge, marshal, two selectmen from each of said wards, shall be declared by the probate judge of Clear Creek county duly elected to said several offices. If two or more persons shall, at said election, receive the same number of votes for either of said offices, the probate judge shall decide the same by lot. This shall only apply for the first election to be held on the fourth Tuesday of January, A. D. 1868, and forever after the first election the returns of the election

shall be made to the board of selectmen, who shall determine the election between them by lot.

SEC. 2. All male inhabitants over the age of twenty-one years, who are entitled to vote for members of the legislature, and who shall have been actual residents of said corporation ten days next preceding said election, shall be entitled to vote for town officers: *Provided*, That said voters shall vote in the wards in which they shall respectively reside.

ARTICLE V.

SECTION 1. The board of selectmen shall have power and authority to levy and collect taxes for corporate purposes, upon all taxable property, real, mixed and personal, except as hereinafter excepted, within the limits of the corporation, not exceeding one per cent. per annum upon the assessed value thereof, and may enforce the payment of the same in any manner that may be prescribed by ordinance, not repugnant to the constitution of the United States or the organic act of this territory.

SEC. 2. The board of selectmen shall have power to require of all officers appointed or elected in pursuance of this act, bonds, with penalty and security for the faithful performance of their respective duties, as may be deemed expedient, and, also, to require of all officers appointed or elected, as aforesaid, to take such oaths or make such affirmations as the board may prescribe, for the faithful performance of the duties of their respective offices, before entering upon the discharge of the same, to establish support and regulate common-schools, and to borrow money on the credit of the corporation: *Provided*, That no sum of money shall be borrowed at a greater interest than twenty per cent. per annum, nor shall any sum or sums be borrowed as aforesaid, until after the subject shall have been submitted to the legal voters of the corporation, for which purpose a specified election shall be called by the police judge, after giving ten days' notice thereof, and if a majority of the legal voters of said corporation shall be in favor of any such loan, the same may be negotiated, and not otherwise: *Provided, further*, That the annual interest on the loan effected by the corporation shall not exceed one half the revenue annually derived from the tax levied by said corporation upon the real estate within the limits of said corporation.

SEC. 3. To appropriate money, and to provide for the payment of the debts and expenses of said corporation.

SEC. 4. To make regulations to prevent the introduction of contagious diseases within the limits of said corporation, to

make quarantine laws for that purpose, and to enforce the same within five miles of the limits of Georgetown.

SEC. 5. To establish hospitals, and make regulations for the government of the same.

SEC. 6. To make regulations to secure the general health of the inhabitants; to declare what shall be a nuisance, and prevent and remove the same.

SEC. 7. To provide the corporation with water, to erect hydrants and pumps, build cisterns and dig wells in the street for the supply of engines and buckets.

SEC. 8. To open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve and keep in repair streets, avenues, lanes and alleys, sidewalks, drains and sewers.

SEC. 9. To establish, erect, and keep in repair, bridges.

SEC. 10. To divide the corporation into wards, alter the boundaries thereof, and make additional wards, as the occasion may require.

SEC. 11. To establish, support and regulate night police.

SEC. 12. To provide for lighting the streets, and to erect lamp-posts.

SEC. 13. To erect market-houses, to establish markets and market-places, and to provide for the regulation thereof.

SEC. 14. To provide all needful buildings for the use of the corporation.

SEC. 15. To provide for enclosing, improving and regulating all public grounds belonging to the corporation.

SEC. 16. To license, tax and regulate auctioneers, merchants, pedlers, retailers, grocers, taverns, ordinaries, hawkers, brokers, pawn-brokers and money-changers.

SEC. 17. To license, tax and regulate hackneys, carriages, wagons, carts, drays, and fix the rates to be charged for the conveyance of persons, and for wagonage, cartage and drayage of property.

SEC. 18. To license and regulate porters' rates of porterage.

SEC. 19. To license, tax and regulate theatrical and other exhibitions, shows and amusements.

SEC. 20. To license, restrain, regulate, prohibit and suppress tippling-houses, dram-shops, gambling-houses, bawdy-houses and other disorderly houses, and the selling and giving away any intoxicating or malt liquors, by any person, within the limits of the corporation, except duly licensed.

SEC. 21. To provide for the prevention and extinguishment of fires, to arrange and establish fire-companies, and to regulate or prohibit wooden buildings in any part of the corporation.

SEC. 22. To regulate the construction of chimneys, and regulate the flues thereof.

SEC. 23. To regulate the storage of gunpowder, tar, pitch, resin, and other combustible materials.

SEC. 24. To regulate parapet wells and partition fences, and restrain cattle, hogs, horses, sheep and dogs from running at large.

SEC. 25. To establish standard weights and measures, and to regulate the weights and measures to be used within the limits of the corporation, in all cases not otherwise provided for by law, and to enforce all laws affecting the same, and to determine and enforce the payment of fines for non-compliance or violations of same.

SEC. 26. To provide for the measuring and inspection of lumber and other building materials, and for the measurement of all kinds of mechanical labor.

SEC. 27. To provide for and regulate the inspection of beef, pork, flour, meal and whiskey, in barrels.

SEC. 28. To provide for the inspection and weighing of hay, stone-coal, the measurement of charcoal, firewood, and other fuel to be sold and used within the limits of the corporation.

SEC. 29. To regulate the inspection of butter, lard and other provisions.

SEC. 30. To provide for taking the number of inhabitants of said corporation.

SEC. 31. To regulate the election of corporate officers, and to provide for removing from office any person holding office created by ordinance, in certain cases.

SEC. 32. To fix the compensation of all corporate officers, and regulate the fees of jurors, witnesses and others for services rendered under this or any ordinance made in pursuance thereof.

SEC. 33. To regulate the police of Georgetown, to impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for the recovery and appropriation of such fines and forfeitures, and the enforcement of such penalties, and all moneys collected by or under authority of any corporate ordinance, shall be deemed and taken to belong to said corporation, and disposed of by the board of selectmen, under the ordinance of said corporation, for the general use and benefit of the inhabitants thereof.

SEC. 34. The board of selectmen shall have exclusive powers within the corporation of Georgetown, by ordinance to license, suppress and restrain billiard tables and bowling alleys.

SEC. 35. The board of selectmen shall have power to make all ordinances which shall be necessary and proper for carrying into execution, the powers specified in this act, so that such ordinances be not repugnant or inconsistent with the constitution of the United States, or the organic act of this territory.

SEC. 36. The style of the corporate ordinances shall be, *Be it ordained by the board of selectmen of Georgetown.*

SEC. 37. All ordinances of the board of selectmen, shall, within one month after they shall have been passed, be published in some newspaper in the corporation, or posted up in three public places within the limits of said corporation, and shall not be in force until they have been published or posted as aforesaid.

SEC. 38. All ordinances of the board of selectmen may be proved by the seal of the corporation, and, when printed in book-form or pamphlet-form, and purporting to be printed and published by authority of the corporation, the same shall be read, in evidence, in all courts and places without further proof.

ARTICLE VI. THE POLICE JUDGE.

SEC. 1. The police judge shall preside at all meetings of the board of selectmen, and, in cases of a tie, shall have a casting vote, and in no other. In cases of absence of the police judge at any meeting the board of selectmen shall appoint one of their number as chairman, who shall preside at the meeting, but shall not thereby lose his right to vote on any question before the board.

SEC. 2. The police judge or any two selectmen may call special meetings of the board of selectmen.

SEC. 3. The police judge shall, at all times, be vigilant and active in enforcing the laws and ordinances for the government of the corporation. He shall inspect the conduct of all subordinate officers of said corporation, and cause negligence or positive violation of duty to be prosecuted and punished. He shall, from time to time, communicate to the selectmen, such information and recommend all such measures as, in his opinion, may tend to the improvement of the finances, the public health, comfort and ornament of Georgetown.

SEC. 4. He is hereby authorized to call on every male inhabitant of said corporation, over the age of eighteen years, to aid in enforcing the laws and ordinances; and in case of riots, to call out the militia to aid him in suppressing the same, or other disorderly conduct; preventing and extinguishing fires, for securing the peace and safety of the inhabitants of the corporation, or carrying into effect any law or ordinance, and any person who shall not obey such call, shall forfeit a fine to said corporation, not exceeding twenty dollars.

SEC. 5. He shall have power, whenever he shall deem necessary, to require of any of the officers of said corporation an exhibit of his books and papers.

SEC. 6. He shall have power to execute all acts that may be required of him by any ordinance made pursuant to this act.

SEC. 7. He shall also have such powers as may be vested in him by ordinance of the corporation in and over all places within five miles of said corporation, for the purpose of enforcing the health and quarantine ordinances and regulations thereof.

SEC. 8. He shall receive for his services outside of the corporation, such compensation as shall be fixed by ordinance.

SEC. 9. In case the police judge shall, at any time, be guilty of a palpable omission of duty, or shall wilfully and corruptly be guilty of oppression, misconduct, or partiality in the discharge of the duties of his office, he shall be liable to be indicted in the district court of the proper county, and, on conviction, he shall be fined not more than one thousand dollars, and the court shall have power, upon the recommendation of the jury, to add to the judgment of the court, that he be removed from office.

ARTICLE VII. OF PROCEEDINGS OF SPECIAL CASES.

SEC. 1. When it shall be necessary to take private property for opening, widening, or altering any public street, lane, avenue or alley, the corporation shall make a just compensation to the person or persons from whom the property is so taken, and when the amount of such compensation cannot be agreed upon, the police judge, shall cause the same to be ascertained by a jury of six disinterested persons, free holders of the corporation.

SEC. 2. When the owners of all the property on a street, lane, avenue, or alley, proposed to be opened, widened, or altered, shall petition therefor, the board of selectmen may open, widen, or alter such street, lane, avenue, or alley, upon conditions to be prescribed by ordinance, but no compensation shall, in such cases, be made to those whose property shall be taken, their tenants, or others, nor shall there be any assessment of damages that may accrue thereby, to any of the petitioners.

SEC. 3. All jurors impanelled to inquire into, and assess the damages to the owner of the property proposed to be taken for opening, widening, or altering any street, lane, avenue, or alley shall first be sworn to well and truly assess such damages, if any, and shall return to the police judge their verdict in writing, signed by such jurors.

SEC. 4. In ascertaining the amount of damages for the property proposed to be taken as aforesaid, the jury shall take into consideration the benefits arising to the owner thereof, by reason of such improvements, as the damages that may accrue by

such widening, opening or altering such street, lane, avenue, or alley.

SEC. 5. The police judge shall have power for good cause shown within ten days after the verdict shall have been submitted to him as aforesaid, to set aside the same, and cause another jury to be impanelled, who shall, in like manner, assess the damages, if any, and make their return in writing, to the police judge.

SEC. 6. The board of selectmen shall have power by ordinance, to levy a special tax on the holders of lots in any street, lane, avenue, or alley, according to their respective fronts, for the purpose of paving, gravelling, or planking sidewalks, and lighting such streets, lanes, avenues, or alleys: *Provided*, Such tax shall not exceed the actual costs of such sidewalks, and lighting, respectively, which tax shall be collected in the same manner as other corporation taxes.

ARTICLE VIII. MISCELLANEOUS PROVISIONS.

SEC. 1. The board of selectmen shall have power for the purpose of keeping the streets, lanes, avenues and alleys in repair, to require of every male in said corporation (except clergymen), over the age of twenty-one years, to labor on said streets, lanes, avenues, and alleys, not exceeding three days in each and every year, and every person failing to perform such labor when duly notified by the street commissioners, shall forfeit and pay to said corporation, two dollars for each day so neglected and refused.

SEC. 2. The members of the board of selectmen and firemen, shall, during the terms of office as such, be exempt from working out any road or street-tax, and shall likewise be exempt from serving on juries and in the militia of the territory.

SEC. 3. The board of selectmen shall have power to provide for the punishment of offenders by imprisonment in all cases when such offenders shall fail or refuse to pay the fines and forfeitures that may be assessed against them.

SEC. 4. All fines and forfeitures collected for offences committed, or penalties incurred within the corporate limits of Georgetown, shall be paid into the treasury of said corporation by the officers collecting the same.

SEC. 5. The board of selectmen shall cause to be published annually, a full and complete statement of all moneys received and expended by the corporation during the preceding year, and on what account received and expended.

SEC. 6. All suits, actions and prosecutions instituted, commenced or brought by the corporation hereby created, shall be prosecuted in the name of Georgetown.

SEC. 7. Appeals shall be allowed from decisions in all cases arising under the provisions of this act or any ordinance passed in pursuance thereof in the district court, and every such appeal shall be granted in the same manner and with like effect as appeals are taken from and granted by justices of the peace under the laws of the territory.

SEC. 8. This act is hereby declared to be a public act and may be read in evidence in all courts of law and equity within this territory without proof.

SEC. 9. All acts or parts of acts coming within the provisions of this charter, or contrary to, or inconsistent with its provisions, are hereby repealed.

SEC. 10. The marshal and constables within the corporation of Georgetown, shall be authorized and have power to execute anywhere within the limits of the county wherein said corporation may be located, all process issued by the police judge or other magistrate within the corporation, and the marshal shall have power to do all acts that a constable may lawfully do, and shall receive the same fees that are allowed to constables for similar cases, and shall give bonds as constables are required by law to give.

SEC. 11. All actions brought to recover penalties or forfeitures under this act, or any ordinance, by-law or police regulation, made in pursuance thereof, shall be brought in the corporate name, and it shall be lawful to declare in debts for such penalty, fine, or forfeiture, stating the clause of this act, or the by-law, or ordinance under which the penalty or forfeiture is claimed to give the special matter in evidence under it.

SEC. 12. In all prosecutions for violation of any ordinance, by-law, or other regulation, the first process shall be by summons, unless oath or affirmation shall be made for a warrant as in other cases.

SEC. 13. Execution may issue immediately upon rendition of judgment, and if the defendant has no goods or chattels or real estate within the county whereof the judgment can be collected, the officer rendering such judgment may require the defendant to be confined in jail for a term not exceeding six months; and all persons so committed shall be confined one day for each one dollar of such judgment and costs.

SEC. 14. The police judge shall have jurisdiction in all cases of violation of the city ordinances, and shall have the same jurisdiction in all civil and criminal proceedings, as is now or shall hereafter be conferred upon other justices of the peace of this territory, and in all courts of this territory, said police judge shall be held to be a justice of the peace, but no change of venue shall be allowed from said police judge to any other justice of the peace for hearing and determination in any case

where proceedings shall be commenced against any person or persons for the violation of any corporate ordinance.

SEC. 15. This act shall take effect and be in force from and after its passage.

Approved January 10, A. D. 1868.

An act to provide for the relocation of the County-seat of Clear Creek County, Colorado.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SEC. 1. That at the next general election in Clear Creek county for county and other officers, the question shall be submitted to the legal voters of said county whether they desire to relocate the county-seat of said county.

SEC. 2. The legal voters of said county at said election, may designate on their ballots, the name of any place in said county which they desire to be the county-seat of said Clear Creek county.

SEC. 3. When the votes are canvassed, the place having a majority of all the votes polled, shall be the county-seat of said Clear Creek county, and public notice of such location shall be given within thirty days by the county commissioners by posting up notices in three different places in the county.

SEC. 4. If, at said election, no place shall receive a majority of all the votes polled at said election, the said county-seat shall remain where it now is, but may be relocated at any time hereafter in accordance with the act entitled An act establishing the mode of locating and changing county-seats. Approved November 7, 1861.

SEC. 5. If the county commissioners of said Clear Creek county, shall fail or refuse to give notice of the location of said county-seat as required by section three of this act, they shall each be fined the sum of one hundred dollars, to be recovered before any justice of the said county of Clear Creek: *Provided*, That the failure or refusal of said county commissioners to give notice as aforesaid, shall not defeat or delay the location of the county-seat as determined by the majority of the votes cast as aforesaid.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved January 10, A. D. 1868.

An act for the relief of Adeline McFarland, of Boulder County.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the sum of three hundred dollars be and the same is hereby appropriated for the support, maintenance and education of Adeline McFarland, an orphan child of the late Robert McFarland, who fell in the service of his country at Sand Creek, November 29, 1864.

SEC. 2. That the Hon. Henry L. Pearson, of the county of Boulder, is hereby authorized to receive the money specified in section one of this act, and judiciously apply the same to the use and benefit of the said Adeline McFarland.

SEC. 3. That the auditor of the territory is hereby authorized to draw a warrant on the territorial treasurer for the sum of three hundred dollars, to be paid out of any funds in his hands not otherwise appropriated, for the purpose specified in section one of this act.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved January 10, A. D. 1868.

An act to authorize the County Commissioners of Summit County to appropriate to the construction of Bridges, the Military Fund raised by virtue of an act entitled An act to encourage the formation and equipment of Volunteer Companies, approved February 10, 1865.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the county commissioners of the county of Summit have power, and are hereby authorized to appropriate the military fund raised in the said Summit county in the year 1867, and that which may be raised in the year 1868, by virtue of an act entitled An act to encourage the formation of volunteer companies, to the use of said county of Summit, in the construction of a bridge or bridges across Blue river, at such point or points on said Blue river, between the town of Breckenridge and what is known as the Gold Run crossing, as the said commissioners may at their regular meeting direct.

SEC. 2. All acts, sections, and parts of acts inconsistent with the provisions of this act, are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved January 10, A. D. 1868.

An act to authorize the County Commissioners of the Counties of Lake, Boulder, Larimer and Weld to appropriate to the construction of Roads and Bridges the Military Fund raised by virtue of an act entitled An act to encourage the formation and equipment of Volunteer Companies, approved February 10, 1863.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the county commissioners of the counties of Lake, Boulder, Larimer and Weld have power, and are hereby authorized to appropriate the military fund raised in the said counties by virtue of an act entitled An act to encourage the formation of volunteer companies, to the use of said counties of Lake, Boulder, Larimer and Weld in the construction of roads and bridges, as the said commissioners may at regular meetings direct; but in no case shall the said fund be appropriated to bridges now under contract.

SEC. 2. That the county commissioners shall appropriate so much of the said military fund to each of the road districts as the said district has paid into the said military fund; and to be expended as is now required by road supervisors.

SEC. 3. This act to take effect and be in force from and after its passage.

Approved January 10, A. D. 1868.

An act to extend the Corporate Limits of the City of Denver.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. The corporate limits of the city of Denver, in the county of Arapahoe, are hereby extended so as to include within said city the north-east quarter of section numbered three, in township numbered four south, range sixty-eight west; also the west half of section twenty-six, the west half of the north-east quarter, and the west half of the south-east quarter of said section twenty-six; also that part of sections twenty-seven and twenty-eight east and south of the South Platte river and following the main channel of said river to the north line of the congressional grant; also all the west half of section thirty-five, and the west half of the north-east quarter, and the west half of the south-east quarter of said section thirty-five; also the east half of section thirty-four, all in township numbered three south, range sixty-eight west, according to the survey of the lands of this territory by the United States.

Approved January 9, A. D. 1868.

An act to dissolve the Bonds of Matrimony heretofore existing between Alonzo N. Allen and Mary A. Allen.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the bonds of matrimony heretofore existing between Alonzo N. Allen and Mary A. Allen, of the county of Boulder, are hereby dissolved, and that all and every duty, rights and claims accruing to either of said parties by reason of said marriage, shall henceforth cease and determine, and that said parties be severally at liberty to marry again, in like manner as if they had never been married.

SEC. 2. This act shall take effect and be in force from and after its passage.

The foregoing act was passed over the veto of the governor, by the requisite two-thirds vote of both bodies.

An act to dissolve the Bonds of Matrimony heretofore existing between George W. Purkins and Mary A. Purkins.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the bonds of matrimony heretofore existing between George W. Purkins and Mary A. Purkins, are hereby dissolved, and the said Mary A. Purkins is hereby permitted to resume the name of Mary A. Perry, by which name she shall be known in law and equity.

The foregoing act was passed over the veto of the governor, by the requisite two-thirds vote of both branches.

An act to dissolve the Bonds of Matrimony heretofore existing between John H. Craig and Susan Craig, of Fremont County.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the bonds of matrimony heretofore existing between John H. Craig and Susan Craig, his wife, of the county of Fremont, are hereby dissolved, and that all and every the rights, duties and obligations heretofore devolving upon said parties by reason of said marriage, shall henceforth cease and determine; and it shall be lawful for said parties, or either of them, to marry again, the same as if said marriage had never existed.

SEC. 2. This act shall take effect and be in force from and after its passage.

The foregoing act was passed over the veto of the governor, by the requisite two-thirds vote of both bodies.

An act to dissolve the Bonds of Matrimony heretofore existing between William O. Viars and Sarah Frances Viars.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the bonds of matrimony heretofore existing between William O. Viars and Sarah Frances Viars, are hereby dissolved.

SEC. 2. That Sarah Frances Viars is hereby declared and constituted the sole guardian and custodian of the children born in the wedlock of the parties herein named, during said children's infancy.

SEC. 3. This act shall take effect and be in force from and after its passage.

The foregoing act was passed over the veto of the governor, by the requisite two-thirds vote of both bodies.

An act relating to platting of the Public Square of Golden City, in the county of Jefferson.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SEC. 1. The board of county commissioners of Jefferson county, are hereby authorized and empowered to lay off the public square in Golden City, in said county of Jefferson, in blocks, and lots of such size as they may deem advisable, and to number the same.

SEC. 2. This act to take effect and be in force on and after its passage.

Approved January 10, A. D. 1868.

An act to legalize the records of Lake County.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. All records of deeds and other instruments in writing, which are required by law to be recorded by county

clerks, which have been so recorded in all respects as the law requires, by the county clerk of Lake county, at Oro City, shall be legal and valid, as if the said clerk had recorded the same at Dayton, the county-seat of Lake county.

Approved January 4, A. D. 1868.

An act to change the Name of Octavius H. Tubbs.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the name of Octavius H. Tubbs, of Boulder county, is hereby changed to that of Edward F. Mason, by which name he shall hereafter be known in law and equity.

This act to take effect from and after its passage.

Approved December 24, A. D. 1867.

An act in relation to an Adopted Child of Major E. B. Kirk.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the female child now living with, and lately adopted into the family of Major E. B. Kirk, of Fort Lyon, Colorado territory, whose baptismal name is Maud Hunter, whose further name and parentage are unknown, shall hereafter be entitled to the name of Maud Hunter Kirk, and by that name shall be known and called.

SEC. 2. That the said Maud Hunter Kirk shall be entitled to inherit the same interest in the estate, real and personal, of the said E. B. Kirk, in the same manner as if she were the daughter and natural heir of the said E. B. Kirk.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved January 4, A. D. 1868.

An act in relation to an Adopted Child of Samuel N. Hoyt.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the male child now living with, and adopted into the family of, Samuel N. Hoyt, of Arapahoe county, Colorado territory, called Thomas McIntosh, shall hereafter be en-

titled to the name of Frank Crampton Hoyt, and by that name shall be known and called.

SEC. 2. That the said Frank Crampton Hoyt shall be entitled to and inherit the same interest in the estate, real and personal, of the said Samuel N. Hoyt, in the same manner as if he was the son and natural heir of the said Samuel N. Hoyt.

SEC. 3. This act shall take effect from and after its passage.

Approved January 6, A. D. 1868.

An act to change the Name of Sarah Thomas.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the name of Sarah Thomas, of the city of Denver, county of Arapahoe, and territory of Colorado, is hereby changed to that of Sarah Burton, by which name she shall hereafter be known in law and equity.

SEC. 2. This act to take effect and be in force from and after its passage.

Approved January 9, A. D. 1868.

An act to change the Name of Anna Martin, and make her Heir at Law of Wilson C. Hess.

Be it enacted by the Council and House of Representatives of Colorado Territory:

SECTION 1. That the name of Anna Martin, of Arapahoe county, Colorado territory, shall hereafter be known by the name of Anna Marisco Hess, and by that name shall be known and called.

SEC. 2. That the said Anna Marisco Hess shall be entitled to inherit the same interest in the estate, real and personal, of the said Wilson C. Hess, in the same manner as if she were the daughter and natural heir of the said Wilson C. Hess.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved January 9, A. D. 1868.

Joint Memorial.

To the Senate and House of Representatives of the United States, in Congress Assembled:

Your memorialists, the council and house of representatives of Colorado territory, most respectfully represent that, *Whereas*, The military post known as Camp Collins, located on the Cache la Poudre river, in Larimer county, Colorado territory, has been abandoned for military purposes, and the government buildings sold; and, *Whereas*, The secretary of war has notified the commissioner of the general land-office, that the military reserve known as Camp Collins, comprising a tract of land four miles square, is no longer needed for military purposes; and, *Whereas*, Military reserves can only be disposed of by order of the president, which subjects said reserves to be sold to the highest bidder, thereby allowing speculators and non-residents to hold the land to the great detriment of actual settlers; and, *Whereas*, Said reserve contains much valuable land suitable for agricultural purposes, which would be immediately settled upon and improved if it was subject to the pre-emption and homestead laws; and, *Whereas*, A portion of said reserve was selected and occupied for farming lands prior to the occupation of said reserve for military purposes by the government, said selections not exceeding over six hundred and forty acres.

Therefore your memorialists most respectfully represent that it will not only be to the great detriment of Larimer county, but work an injury to parties already settled upon said reserve, and to actual settlers who wish to take advantage of the pre-emption and homestead laws on said lands, should the land in said reserve be sold at public auction; therefore be it

Resolved, By the council and house of representatives of Colorado territory, that Congress be requested to take such action as shall be necessary to reopen said reserve, subject to the pre-emption and homestead laws, and that our delegate in Congress be instructed to use his utmost endeavors to obtain the enactment of a law in accordance with the foregoing request; and also, that the secretary of the territory is hereby requested to transmit a copy of this resolution and memorial to the president of the senate, the speaker of the house of representatives, and our delegate in congress.

Approved December 23, A. D. 1867.

Joint Memorial and Resolution.

To the Senate and House of Representatives of the United States, in Congress assembled:

Your memorialists, the council and house of representatives of the territory of Colorado, would respectfully represent that that portion of the act of congress of March 25, 1864, which requires letter rates of postage to be paid upon all transient matter conveyed by mail westward beyond the western boundary of Kansas, and eastward from the eastern boundary of California, operates as a most unjust and burdensome restriction and discrimination against all the inhabitants of the immense area of states and territories within said boundaries, and that the completion of the Union Pacific Railroad to the eastern base of the Rocky Mountains, at Cheyenne, D. T., removes all public considerations for such restrictions, if any have heretofore existed; therefore,

Resolved, That congress be and is hereby urged to take such action as shall make the rates of postage uniform throughout our country.

Resolved, By the council and house of representatives of the territory of Colorado, That his excellency, the governor of Colorado territory, is requested to forward a copy of the foregoing memorial and resolution to the president of the senate and speaker of the house of representatives of the United States, in congress assembled, and to our delegate in congress.

Approved December 23, 1867.

Joint Memorial to the Congress of the United States in relation to the Las Animas Grant.

To the Honorable, the Senate and House of Representatives of the United States of America, in Congress assembled:

Your memorialists, the council and house of representatives of the territory of Colorado, respectfully represent that there exists in the southern part of this territory a district of country more than seventy miles square known as the "Las Animas Grant," which entire tract of land is claimed by one Ceran St. Vrain and the heirs of one Cornelio Vigil, as a grant purporting to have been made to them by one Armiss, governor of New Mexico, in the year eighteen hundred and forty-three.

And your memorialists further represent that by an act of the congress of the United States, approved June 21st, 1860, (see the United States Statutes at large, Vol. 12th, page 71) a partial confirmation of said grant was made to the extent of

eleven square leagues to each of said claimants, or twenty-two square leagues in all, which is but a small portion of the land claimed by said grantees.

And your memorialists further represent that since the passage of the act aforesaid, a large number of the citizens of said territory have settled upon said tract of land and have made permanent and valuable improvements thereon, and claim the portions or parcels of said lands so settled upon and improved, under the pre-emption laws of the United States, and adversely to said grantees.

And your memorialists further represent that the entire area of the counties of Huerfano and Las Animas, and parts of the counties of Pueblo and Fremont are included within the limits of said grant as claimed, embracing in the aggregate more than one thousand of the voters of our territory; that cases of litigation have already ensued, and acts of personal conflict have taken place between the said settlers and the agents of said claimants, growing out of the right of possession to portions of said lands.

Your memorialists therefore respectfully ask your honorable body for such legislation as may be deemed necessary to cause the portions of said lands to which said grantees are entitled, to be surveyed and allotted in such manner as to be identified; and that the rights of those citizens who have settled upon unoccupied portions of said lands since the passage of the act of congress aforesaid may be secured to them. And be it resolved that copies of this memorial be forwarded by the secretary of this territory to the presiding officers of both houses of the congress of the United States, and that our delegate, Hon. George M. Chilcott, be furnished with a copy and be requested to use his influence to procure the legislation asked for in this memorial.

Approved January 10, 1868.

Joint Memorial and resolutions relative to increased compensation for survey of public lands in Colorado.

To the Honorable, the Senate and the House of Representatives of the United States, in Congress Assembled:

Your memorialists, the council and house of representatives of the territory of Colorado, would respectfully represent, that the compensation now allowed by law for the survey of the public lands, though amply sufficient for a level country, is inadequate to procure an accurate survey of the mountain regions of this territory. We earnestly desire that every obstacle in

the way of the development of the great mineral and agricultural resources of our territory and nation shall be removed; therefore,

Resolved, That the congress of the United States be and is hereby respectfully requested to make such additional compensation as may be necessary to secure an early survey of the public lands in the mountain regions of this territory. And further,

Resolved, That the governor of this territory is hereby requested to forward a copy of the foregoing memorial and resolution, to the presiding officer of each branch of the congress of the United States, and to our delegate therein, the secretary of the interior and commissioner of the general land office.

Approved January 4, A. D. 1868.

Concurrent resolution tendering the thanks of the Legislative Assembly to Hon. J. P. Whitney, Commissioner to the Paris Exposition.

The representatives of the people of the territory of Colorado in general assembly convened, gratefully recognizing the distinguished services rendered the territory through the indefatigable industry of its commissioner at the Universal Exposition in Paris during the year 1867, through the council and house of representatives of Colorado territory, do hereby resolve

That the thanks of the legislative assembly be and they are hereby tendered to the Hon. J. P. Whitney for the faithful and efficient performance of the duties of his office.

Resolved, That the secretary of the territory be instructed to cause a copy of these resolutions, duly authenticated, under the great seal of the territory, to be engrossed on parchment and transmitted to the address of the said Hon. J. P. Whitney, in the name of the people of this commonwealth.

Approved January 8, A. D. 1868.

A Memorial to the Congress of the United States relative to the coining of silver in the Branch Mint at Denver, Colorado territory.

To the Honorable, the Senate and House of Representatives of the United States, in Congress Assembled:

Your memorialists, the legislative assembly of the territory of Colorado, would respectfully represent that, within the last two years, there has been discovered in this territory, a great number of rich silver mines, that soon will be worked extensively, and open a new era in Colorado. These silver ores can be reduced cheaply, and must result in great profit to the operators, and in view of the fact that our national currency will

soon reach a specie standard, we respectfully request your honorable body to authorize and empower the U. S. Branch Mint in the city of Denver, to coin silver bullion, and furnish our miners with money from the precious metals they have contributed to produce.

Approved January 10, A. D. 1868.

A Joint Memorial and resolution relative to additional appropriations for the purpose of building a penitentiary in Colorado territory.

To the Senate and House of Representatives of the United States, in Congress Assembled:

Your memorialists, the council and house of representatives of the territory of Colorado, would respectfully represent that the sum of forty thousand dollars appropriated by the Congress of the United States, by the act approved January 22, 1867, for the purpose of erecting a penitentiary in the territory of Colorado, is inadequate for the erection of any prison required by by the wants of this territory. A large majority of our counties are without a jail or prison of any kind, and in these a conviction amounts to an acquital. Our people have been too often compelled to step beyond the limit of the statute and resort to the first law of nature, and administer summary punishment to offenders. For years past these evils have pressed sorely upon our people, and we appeal to you, as guardians of this people, for such an appropriation as will give us a secure prison; and to this end we would suggest that an additional appropriation, of at least forty thousand dollars, is absolutely necessary for the attainment of the object contemplated. The cost of building materials, which are not manufactured in this territory with the high prices of labor, render the cost of construction twice as great as in the states.

Resolved, That a copy of this memorial and resolution be forwarded to the secretary of the interior, president of the senate, and speaker of the house of representatives of the Congress of the United States, and to our delegate therein.

Approved January 10, A. D. 1868.

A Joint Memorial to the Congress of the United States relative to a subsidy of lands for railroad purposes.

To the Honorable, the Senate and House of Representatives of the United States, in Congress assembled:

Your memorialists, the legislative assembly of the territory of Colorado, would respectfully represent that the advancement

of the important interests of this country require railroad communication with the east. The expense of transporting machinery and the great demand and high price for labor, have made our mines less remunerative than they otherwise would have been, if living were cheaper, and emigration encouraged by safe and convenient modes of travel. Our richest ores are being worked at the sacrifice of the copper and lead, for the reason that they will not pay for transportation at the present rates. Within the last two years, extensive silver mines have been discovered in this territory, as rich, if not more valuable, than those of any other country. This silver ore could, with ease, be reduced to matt, or run into large bars, and, with cheap transportation, shipped east, where labor is cheaper, and facilities for parting are greater, and the lead could be saved with profit. From this source alone, in a few years, an immense trade will be seen. With additional emigration, the product of our gulch mines will be greatly increased; and with cheap machinery and living, our gold ores, of acknowledged richness, can be worked with profit. The continuation of the Union Pacific Railway, E. D., through the heart of the territory, would encourage settlement on a large portion of the public domain, and bring into market, millions of acres that otherwise must remain unproductive; and if continued west to the mining districts, would develop untold mineral wealth. We therefore appeal to you to aid, by liberal subsidy, the construction of the eastern division of the Union Pacific Railroad, or any other railroad, to be constructed within the boundaries of said territory on the western route as now contemplated by law.

Approved January 10, A. D. 1868.

Joint Memorial relating to the Arid Lands in Colorado Territory.

To the Honorable Senate and House of Representatives of the United States, in Congress assembled:

Your memorialists, the council and house of representatives of the territory of Colorado, would respectfully represent that other states and territories have received, as a donation from the government of the United States, large amounts of land known as "swamp lands," and while there is no such land in in Colorado, there is a class of upper plateau land, valueless to the government in this present state, which can only become fit for settlement and occupation by the outlay of large sums of money in the construction of canals of great length, and must necessarily remain for a long time unsettled and unproductive,

unless said lands are given for their development, by the government, or by the territory; therefore,

Resolved, That the congress of the United States be and is hereby respectfully requested to appoint a commissioner to examine, survey and set apart the said lands to the territory of Colorado.

Resolved, That the governor of the territory is hereby requested to forward a copy of the foregoing memorial and resolutions to the presiding officer of each branch of the congress of the United States, and to our delegate in congress.

Approved January 10, A. D. 1868.

Joint Memorial.

To the Honorable, the Senate and House of Representatives of the United States, in Congress assembled:

Your memorialists, the legislative assembly of the territory of Colorado, respectfully set forth, that since the organization of this territory, no moneys have been expended by the national government in the erection of any public buildings in this territory; nor have appropriations been made to construct public roads therein, as has been done in other territories; that no aid has been given by congress to facilitate the development of our mines of precious metals, now the leading industrial interest of our territory; that the public lands in the most populous section of the country have been withdrawn from market in the interest of a corporation which probably cannot dispose of said lands if they desired so to do, for a long time to come, to the manifest injury of the interests of our people; that from the official report of the United States revenue collector of Colorado, our citizens have paid into the treasury of the United States the sum of six hundred and fifty thousand nine hundred and seventeen dollars and eighty-four cents, up to the close of the year 1867; that in a condition of dependence to the general government, we have only the representation of a delegate in the congress of the United States, through whom our wants can be efficiently made known, and who is necessarily powerless to do more than petition in our behalf. We therefore pray that your honorable body will, in consideration of the premises, appropriate a liberal sum of money to the erection of suitable capitol buildings for the use of the territory, and your memorialists will ever pray, &c.

Approved January 10, A. D. 1868.